

Planning Committee

6 November 2018

County Matter Waste Application

Proposed New Access Road

New Circular Technology Park (former Ford Blockworks), Ford Airfield Industrial Estate, Ford, Arundel, West Sussex, BN18 0HY

Application No: WSCC/027/18/F

Report by Head of Planning Services

Local Member: Jacky Pendleton

District: Arun

Executive Summary

This report concerns an application proposing the development of a new access road to serve a permitted, part implemented, waste treatment facility (WSCC/096/13/F) at the Circular Technology Park (CTP), Ford. As part of the proposals, the applicant is seeking to vary the S106 legal agreement attached to the 2013 permission to remove the permitted HGV route to/from the CTP site, to increase the maximum permitted number of HGV movements, and to increase the hours in which waste deliveries can occur. A new legal agreement is also sought to require the closure of the existing accesses and to ensure the routing of all vehicles to/from the east via the new access and Ford Road/Church Lane.

The report provides a generalised description of the site and a detailed account of the proposed development, and appraises it against the relevant policy framework from national to local level along with other material considerations.

Arun District Council and the Highway Authority raise no objection. Yapton Parish Council support the proposals.

Ford and Clymping Parish Councils object to the proposals principally due to impacts on the highway network in safety and capacity terms. They consider transport assessments and non-motorised user audits are inadequate, outdated, and fail to take account of future development as set out in the adopted Arun Local Plan. They further note that no mitigation is proposed to protect residents and listed buildings from traffic pollution and noise/vibration, which should include speed restrictions, improvements to the road network and low noise/emission HGVs.

Eighteen representations have been received – fourteen in support; two in objection; one raising concerns; and one making comments. Representations in support generally note that vehicles would no longer be routed through residential areas at Rollaston Park and Rodney Crescent and highlight the safety/amenity benefits of the proposed new route of vehicles, being further away from their properties and off a shared PROW.

Representations in objection principally consider the proposed additional hours and

volume of HGVs would give rise to unacceptable noise, vibration and amenity impacts on residential properties and heritage assets, and would result in a risk to pedestrians and cyclists on Church Lane. Further concerns are raised that Ford Road is a country lane of unsuitable design/capacity for HGV traffic and vehicle exhausts will affect the health of residents.

Consideration of Key Issues

The main material planning considerations are impacts on:

- Arun Local Plan allocations;
- landscape and visual amenity;
- highway capacity and road safety; and
- residential amenity.

Arun Local Plan Allocations

The proposed access road and routing of vehicular traffic via the established airfield service road would support the operation of an established and safeguarded waste facility, and would represent an improvement in routing over the approved access. The proposed development would utilise an established service road and has the potential to improve deliverability of the ADC strategic development site 'Ford' through the removal of existing HGV access routes that dissect the allocation site.

Landscape and Visual Amenity

The proposed access road would inevitably have some urbanising effect upon the immediate locality. Although it would be sited on the periphery of an arable field, it would be adjacent to existing developments of a large-scale, industrial nature, and would result in a limited continuation of existing street lighting. Further, the arable fields have been allocated for future residential use. Overall, therefore, the proposed development is not considered to give rise to any unacceptable landscape impacts.

Highway Capacity and Road Safety

The proposed development would result in a significant increase in HGV movements on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F, rising from a maximum of 60 HGV movements per day to 240 HGV movements per day. However, WSCC Highways are satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety. Subject to a S106 legal agreement to control the routing and number of HGV movements, the proposed development is considered acceptable with regards to highway capacity and road safety.

Residential Amenity

Taking into account the existing, well-trafficked character of the highway and surrounding environs for the proposed HGV route, and limited potential for noise impacts on residential receptors, it is considered that the proposed increase in hours and numbers of HGV movements would not give rise to an unacceptable impact upon amenity. The proposals are consistent with the 'development principles' as set out in the WLP allocation for the site and would result in amenity benefits to

sensitive receptors, public footpath users, and future housing development in areas where HGV routing would cease. On balance, the proposed development is not considered to give rise to any unacceptable impact upon the environment or local communities.

Conclusion

The principle of the use of the wider site for waste management purposes is established. The proposed development would support the delivery and operation of an existing, part-implemented, waste management facility on a site allocated in the WLP for that purpose.

The proposed access road would be sited adjacent to existing development of an industrial nature and proposed lighting would be consistent with existing street lighting in the immediate locality. The proposals include provision of landscaping that would ensure any landscape impacts are minimised.

The proposed development would result in a significant increase in HGV volumes and hours on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F. However, the Highway Authority is satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety.

The proposals would inevitably give rise to some negative impact upon the amenity of residents, in particular those in close proximity to Ford Road/Church Lane. However, account must be taken of character of the highway and surrounding environs, the limited overall increase in noise levels, and the wider amenity benefits to sensitive receptors, public footpath users, and future housing development on the currently permitted HGV access routes. On balance, it is not considered that the proposals would give rise to an unacceptable impact upon amenity.

The applicant has carried out an Environmental Impact Assessment, building on previous assessments for the wider site, that adequately identifies and considers the key topics with potential for significant environmental effects. Taking into account the assessments presented therein, comments received from consultees and third parties, and the measures proposed to mitigate any impacts, it is considered that the proposed development would not give rise to any unacceptable environmental effects either alone or in combination with other development.

If the application is permitted, the required amendments to the existing S106 agreement and the proposed new S106 agreement should be taken forward in a single legal agreement (see Appendix 2).

In considering the application, the County Council has, through consultation with the appropriate statutory bodies and having regard to the Development Plan and all other material considerations, considered the objectives of protection of human health and the environment and self-sufficiency and proximity as required by Article 18 of the Waste (England and Wales) Regulations 2011.

Recommendations

It is recommended that planning permission be granted for the proposed new access road, subject to:

- (a) the conditions and informatives set out in Appendix 1;
- (b) the applicant entering into an agreement under section 106 and s106A of the Town and Country Planning Act 1990 ('the Act') to deal with:
 - i) amendments to the existing S106 agreement for the Circular Technology Park site to remove the current controls on routing and to allow an increase in the number and hours of HGV movements; and
 - ii) requiring the closure of existing vehicular accesses to the Circular Technology Park and routing to/from the site only via the new access road and Ford Road/Church Lane.

1. Introduction

- 1.1 This report concerns an application proposing the development of a new access road to serve a permitted, part implemented, waste treatment facility (WSCC/096/13/F) at the Circular Technology Park, Ford. As part of the proposals, the applicant is seeking to vary the S106 legal agreement attached to the 2013 permission to remove the permitted HGV route to/from the CTP site, to increase the maximum permitted number of HGV movements, and to increase the hours in which waste deliveries can occur. A new legal agreement is also sought to require the closure of the existing accesses and to ensure the routing of all vehicles to/from the east via the new access and Ford Road/Church Lane. These requirements can be captured within one agreement made under sections 106 (general) and 106A (variations) of the Act.

2 Site and Description

- 2.1 The proposals relate to a site known collectively as the Circular Technology Park (CTP), the former Ford Blockworks site. This comprises the site of the waste development approved through planning permission WSCC/096/13/F, and two large hangar buildings, connected to that permission by S106 legal agreement, that have general industrial uses (planning use class B2).
- 2.2 The proposed access road is located to the south east of the CTP, which is located north of the Ford Airfield, in the parish of Ford, in Arun District (see **Appendix 3 – Site Location Plan**).
- 2.3 The proposed access road covers an area of 0.7 hectares and would link to the southeast corner of the CTP, following a field boundary alongside the existing Ford Waste Water Treatment Works, and includes a section of the established airfield service road from Ford Road (see **Appendix 4 – Application Site**). To the east of the site beyond agricultural land are residential properties in Rodney Crescent. To the south of the site is Ford Airfield (used for a Sunday market and Car Boot events), Ford Open Prison, and the Viridor waste Materials Recovery Facility (MRF).
- 2.4 The CTP comprises hard standing, a weighbridge, two large hangars and a large warehouse-type building, the latter of which currently contains waste transfer activities. The site has permission for further development of waste operations to include an energy from waste (EfW) facility that, when constructed, would be contained within a large new building in the southern

section of the site. This element of the proposals has not been implemented to date.

- 2.5 The closest residential properties to the proposed new access road are those in Rodney Crescent to the north-east. The wider locality includes residential properties at Rollaston Park and Yapton to the west, and Climping to the south. A number of residential properties border the surrounding road network where HGVs would be routed, most notably those along and Ford Road/Church Lane (including Nelson Row).
- 2.6 The wider area includes a number of industrial and business parks including Ford Airfield Industrial Estate to the west, Ford Lane Business Park and Trade Estate to the north, and Rudford Industrial Estate approximately 550m to the south.
- 2.7 The site is not within an area subject to any ecological, landscape or other constraints, is not within an area identified as being at risk of flooding, nor in a groundwater source protection zone. However, the site is in an area of known archaeological potential.

3 **Relevant Planning History**

WSCC/096/13/F

- 3.1 In January 2015, planning permission was granted by the County Council for the operation of a waste treatment facility comprising a reception and pre-treatment facility/materials recovery facility (MRF), and energy from waste (EfW) facility making use of residual waste through gasification. The proposed facility is permitted to manage up to 200,000 tonnes of waste per annum, with approximately 60,000 tonnes recycled, and the residual fraction of 140,000 tonnes processed by the EfW to produce electricity.
- 3.2 To date, this development has only been partially implemented, namely the limited operation of the MRF facility (approximately 20,000 tonnes per annum) to establish the scale of demand and local waste streams.
- 3.3 This permission is subject to a S106 legal agreement that controls the number, timing and routing of HGV movements related to both the permitted waste treatment facility and the wider CTP site (see Lawful Development Certificates below).

Lawful Development Certificates

- 3.4 In September 2013, Arun District Council approved Lawful Development Certificates confirming the established use of hangars located on the north of the wider CTP site for general industrial activities (planning use class B2).
- 3.5 This use remains extant because the hangars were excluded from the site granted planning permission for waste development by virtue of WSCC/096/13/F (see **Appendix 5 - WSCC/096/13/F – Application site**). However, as they are sited on land within the applicant's control, and having the potential to be used in combination with the approved waste development, they are also subject to the S106 legal agreement that controls HGV movement numbers and hours for the entire CTP site (i.e. including both the permitted

waste facility granted planning permission, and the hangars).

4 **The Proposal**

4.1 The applicant is seeking to create a new access road to/from the site, to double the number of HGV movements permitted to/from the site, and to extend the operating hours for the waste use.

4.2 However, because HGV movements and operating hours are controlled by an existing S106 agreement and because the new access road needs to be linked, in planning terms, to the wider site, the mechanisms to do so are less straightforward than would usually be the case.

4.3 Therefore, the applicant is seeking the following:

- planning permission for the construction of a new access road between the CTP site and the airfield access road (which also serves the Southern Water sewage works and Viridor waste site (MRF));
- an amendment to the existing S106 agreement to increase the number of HGVs permitted to/from the site;
- an amendment to the existing S106 agreement to increase the existing permitted hours of HGV movements to/from the site; and
- to amend the existing S106 agreement to remove the current controls on routing and to enter into a new S106 agreement to require all vehicles accessing the entire CTP site to use the new access and to control the routing of all vehicles to/from the east via the new access and Ford Road/Church Lane.

4.4 A single legal agreement is proposed to both vary the existing s106 agreement (under s106A of the Town and Country Planning Act 1990) and to introduce new controls under S106 over access to the site and HGV routing (see **Appendix 2 – Draft Legal Agreement**).

Access Road

4.5 The proposed new site access road would comprise a 150m long, 10m wide sealed road with a combined foot/cycleway. This would only serve the site and would not be part of the public highway. The new section of road would include street lighting (approximately 8m in height), fencing/gates, and a landscaping belt on its eastern side (**see Appendix 6 – Proposed Access Road**). Upon completion of construction, all vehicular access to the CTP site would be via the new access, with existing accesses closed to vehicular traffic.

HGV Numbers

4.6 The proposal seeks to amend the existing S106 agreement attached to the site to double HGV numbers. At present, the maximum number of HGVs permitted to access the site is 60 in and 60 out on weekdays, and 30 in and 30 out Saturdays. The applicant is seeking to double this to 120 in and 120 out weekdays and 60 in and 60 out Saturdays.

HGV Hours

- 4.7 At present, HGVs are permitted to access the site between 07.30-17.00 weekdays and 08.00-13.00 Saturdays. The proposal is seeking to amend the existing S106 agreement attached to the site to extend these hours to between 06.00-22.00 weekdays and 08.00-18.00 Saturdays.

Lorry Routing

- 4.8 Lorry routing secured via existing S106 agreement requires lorries to enter from the west via Yapton Road and Rollaston Park and exit to the east via a shared public footpath to the north of Rodney Crescent and then south via Ford Road/Church Lane to its junction with the A259. This would be replaced by the new agreement to require all vehicles to access the site via the new access road, the existing airfield service road and then to/from the south via Ford Road/Church Lane to its junction with the A259 (**see Appendix 7 - Existing and Proposed Vehicular Routeing**).

5 Environmental Impact Assessment (EIA)

- 5.1 The proposals fall within Schedule 2 to the Town and Country Planning (Environmental Impact Assessment (England) Regulations 2017 (the EIA Regulations), namely Part 13(b) as relating to a *'change to or extension of development of a description listed in paragraphs 1 to 12 of Column 1 of this table (Schedule 2), where that development is already authorised, executed or in the process of being executed'*. This is because the planning application for the wider CTP site was classified as an *'installation for the disposal of waste'*, within Schedule 2, Part 11(b) and was the subject of an Environmental Impact Assessment submitted in support of WSCC/096/13/F.
- 5.2 The County Council issued an EIA Screening Opinion for the present proposal on 30 October 2017. This confirmed that, taking into account the fact that the current proposals are intrinsically linked to the wider development, for which an EIA was carried out, and the criteria contained in Schedule 3 of the EIA Regulations, it was considered that the proposal has the potential for significant environmental impacts within the meaning of the EIA Regulations and thus an EIA would be required.

6 Policy

Statutory Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory 'development plan' unless material considerations indicate otherwise (as confirmed in paragraph 47 of the National Planning Policy Framework - NPPF). For the purposes of the application, the following documents form the statutory development plan: the West Sussex Waste Local Plan (2014), the Arun Local Plan 2011-2031 (July 2018).
- 6.2 The key policies in the development plan, which are material to the determination of the application, are summarised below. In addition, reference is made to relevant emerging policy and guidance, and national planning policy

that guides the decision-making process and which is material to the determination of the application.

West Sussex Waste Local Plan (WLP - 2014)

- 6.3 Policy W10 identifies a number of strategic sites to meet identified shortfalls in waste transfer, recycling, and recovery capacity. The Circular Technology Park is identified as 'Site north of wastewater Treatment Works, Ford' and is allocated for a Built Waste Management Facility. Policy W10 requires development of this site to satisfactorily address the 'development principles'.
- 6.4 The development principles for the Ford site are as follows:
- development of the site to be comprehensive;
 - comprehensive landscaping scheme required;
 - assessment of impact on the listed buildings to the north and possible mitigation required;
 - if substantial new ground excavations are proposed, low-level archaeological mitigation required;
 - assessment of impacts on the water environment (major aquifer) and possible mitigation required;
 - assessment of impacts on the amenity of users of public rights of way and possible mitigation and enhancement required;
 - assessment of impact (e.g. traffic, noise, odour) on the amenity of dwellings to the north east and south west and possible mitigation required;
 - the cumulative impacts of traffic, noise and odour on the environment and local communities to be satisfactorily addressed and mitigated as required, taking into account all existing, permitted, allocated, or proposed development within the wider area;
 - assessment of the possible closure of the existing access north of Rodney Crescent and the use of an alternative access to the site from Ford Road;
 - assessment of impact of additional HGV movements on highway capacity and road safety, including at the Church Lane and A259 junction and possible mitigation required; and
 - a routing agreement is required to ensure vehicles enter and exit via Ford Road to the south, and not to or from the A27 to the north. Access via Rollaston Park/B2233 for HGVs should also be prevented.
- 6.5 Policy W2 seeks to safeguard development that would prejudice the use of existing waste management sites. Policies W11 – W20 relate to development management and are designed to ensure that there would be no unacceptable harm to amenity, character, and the environment or to other material considerations from waste development proposals. Of particular relevance to the proposals are: Character (Policy W11), High Quality Development (Policy W12), Air, Soil and Water (Policy W16), Flooding (Policy W17), Transport (Policy W18), Public Health and Amenity (Policy W19) and Cumulative Impact (Policy W21).

Arun District Local Plan 2011-2031 (July 2018)

- 6.6 Policy H SP1 identifies a number of strategic sites to deliver new homes during the plan period. The application site falls within the site 'SD8 – Ford' allocated for 1500 new homes.
- 6.7 Policy H SP2c requires development proposals at strategic housing sites to demonstrate compliance with key design and infrastructure requirements. With regard to the Ford site (SD8) it is noted that adverse effects on the Arun Valley Special Protection Area should be avoided, and development proposals must demonstrate compliance with various design and infrastructure requirements, including:
- "a. to take account of sustainable links for all modes of transport between the development, Ford Railway Station and the Littlehampton/Arundel cycleway,*
 - f. improvements to the A259 between Climping and Littlehampton,*
 - g. incorporate planned new employment provision*
 - h. reflect the historic alignment of the canal,*
 - i. maintain visual separation between Ford and Yapton and between Climping and Ford through the layout of the development and provision of landscaped open space; and*
 - j. take into account the siting of Ford Wastewater Treatment Works, including the outcomes of an odour assessment, and not prejudice the operation of or the expansion of the treatment plant as required to accommodate future growth in the District."*
- 6.8 In addition to the above, the following policies are of relevance to the proposed development: Climping Housing allocation (Policy H SP2c (SD10)), Sustainable development (Policy SD SP1), Adapting to climate change (Policy ECC SP1), Transport and Development (Policy TSP1), The Historic Environment (HER SP1), Sites of Archaeological Interest (Policy HER DM6), Noise Pollution (QE DM1), Light Pollution (Policy QE DM2), Air Pollution (Policy QE DM3), Quality of the Environment (Policy QE SP1).

Ford Neighbourhood Plan

- 6.9 The Ford Neighbourhood Development Plan is at an advanced stage, having been subject to independent examination and modification. The adoption of the Neighbourhood Plan will be dependent on a local referendum, currently scheduled for the 8 November 2018. Emerging plans are a material consideration when determining planning applications. The latest version of the Plan is the '*Ford Parish Council Neighbourhood Development Plan 2017-2031 – Post examination version*' that was published in September 2018.
- 6.10 Of particular relevance to the proposals are policies SP1 (Spatial Plan for the Parish); SA1 (Ford Airfield); EH4 (Surface Water Management); EH8 (Light Pollution); and EE1 (Employment and Enterprise).

Clymping Neighbourhood Plan 2015-2030 (October 2015)

- 6.11 The plan was 'made' in January 2016 and as such forms part to the development plan. Of particular relevance to the proposals are policies; CPN13 (Retain buildings or structures of character); and CPN14 (Traffic and the Environment).

National Planning Policy Framework (2018)

- 6.12 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF does not form part of the development plan but is a material consideration in determining planning applications. It also helps to guide decision-makers as to what matters are material to the decision-making process.
- 6.13 Paragraph 8 sets out the three key roles of the planning system; economic, social and environmental. The supporting text highlights the importance of providing infrastructure to support growth.
- 6.14 The paragraphs of the NPPF of key relevance to this application are: 8 (roles of the planning system), 11 (presumption in favour of sustainable development), 47 (determining applications in accordance with the development plan), 102 (consideration of transport issues), 109 (unacceptable impact on the road safety or a severe impact on the road network), 117 (promoting effective use of land to meet the need for homes), 127-132 (achieving well-designed places in decision making), 163 (ensuring flood risk is not increased elsewhere), 170 (conserving and enhancing the natural environment), 175 (protection and enhancement of biodiversity and geodiversity), 178 (avoiding pollution and contamination), 180 (minimising impacts of noise), and 192 (protection of heritage assets).

National Planning Practice Guidance (PPG).

- 6.15 The PPG is a web-based resource that sets out Government's planning guidance to be read in conjunction with the NPPF. PPG does not form part of the development plan but is a material consideration in determining planning applications. PPG was published on 6 March 2014 and contains guidance on a range of planning matters, which are independently updated as necessary. The most relevant sections of the PPG to this application are:

Air Quality (updated 06/03/2014), Noise (updated 06/03/2014), Travel plans, transport assessments and statements in decision-taking (updated 06/03/2014).

EU Council Directive 2008/98/EC

- 6.16 By virtue of the Waste (England and Wales) Regulations 2011 when determining any application for planning permission that relates to waste management (article 18) the planning authority is required to take into account EU Council Directive 2008/98/EC which sets out the objectives of the protection of human health and the environment (article 13) and self-sufficiency and proximity (first paragraph of article 16(1), article 16(2) and (3)). Case law has confirmed that these articles are objectives at which to aim. As objectives they must be kept

in mind whilst assessing the application and provided this is done, any decision in which the furtherance of the objectives are not achieved, may stand.

7 Consultations

- 7.1 **Arun District Council - Planning:** No objection. However, following adoption of the Arun Local Plan in July 2018, and allocation of the 'Ford' site for 1,500 homes, additional comments made. These note the need to ensure that the development will not prejudice the operation or expansion of the Southern Water sewage works or the delivery of future housing.
- 7.2 **Arun District Council - Environmental Health:** Note that residents to the west of the site will undoubtedly benefit from this proposal in terms of noise, but raise concerns that the impact of noise on future residents of land adjacent to the new access has not been considered.
- 7.3 Recommend consideration of conditions to protect air quality, including ensuring that all vehicular routing is via the new road only, and requiring a transport plan to encourage a switch to low/zero emission vehicles.
- 7.4 **Ford Parish Council:** Objection. Wish to retain existing HGV times and volumes. Traffic surveys are outdated and do not take account of existing and future development. Ford Road/Church Lane has narrow footways and there is danger of pedestrians being struck by HGVs. No mitigation to protect resident from traffic pollution and noise are proposed, which should include consideration of speed restrictions, road widening, a new roundabout, low noise/emission HGVs, verge beautification, and control of light pollution.
- 7.5 **Clymping Parish Council:** Objection on the basis of highway safety and capacity impacts, HGVs noise/vibration impacts on residents adjacent to Church Lane (including listed buildings), lack of control over HGV numbers, failure to take account of future housing and associated traffic from future housing sites allocated in the adopted Arun Local Plan. Consider improvements to the highway network are required in accordance with the Clymping Neighbourhood Plan. Consider the submitted Non-motorised user audit to be flawed in terms of impact on pedestrians. Should the development be approved request a condition for all traffic to be routed north once the Arundel bypass is built.
- 7.6 **Yapton Parish Council:** Support. Welcome alternative routing proposals. Initially concerns raised over additional numbers and hours of HGV movements and potential for noise impacts. However, following further information submitted by the applicant, support offered.
- 7.7 **Environment Agency:** No comments received
- 7.8 **Southern Water:** Draw attention to the approximate position of a public sewer crossing the site and detail steps to be taken to ensure its protection. Note concerns regarding the potential impact of 1,500 homes on the Southern Water sewage works, however, cannot comment further until detailed information about the proposals and future expansion of the sewage works are known.
- 7.9 **WSCC Archaeology:** No objection subject to a condition to secure a scheme of archaeological investigation.

- 7.10 **WSSC Ecology:** No ecological objection. Recommends conditions to secure a detailed scheme for screening planting (and long term management and maintenance thereof) and ecologist supervision of clearance works.
- 7.11 **WSSC Drainage and Flooding:** No objection.
- 7.12 **WSSC Highways:** No objection. Satisfied with the capacity data and Road Safety Audit submitted. The junction with Ford Road is adequate. Note the Church Lane roundabout is operating close to theoretical capacity, however, the hourly number of movements at this junction would not constitute a level at which a material impact would occur. Improvement of the roundabout is not necessary to accommodate the worst case traffic generated by the proposed development. Note that roundabout improvements are sought as part of the Arun Local Plan, and included within development proposals currently being considered at appeal. Satisfied with the submitted non-motorised user audit (NMUA) and consider additional vehicles are unlikely to result in any perceptible impacts upon non-motorised users. The proposed development is not considered to give rise to a severe impact on highway capacity or a unacceptable impacts on highway safety, and is thereby considered to accord with paragraph 109 of the NPPF.
- 7.13 **WSSC Tree Officer:** No objection subject to a condition to secure a detailed planting specification and subsequent maintenance.
- 7.14 **WSSC Public Rights of Way:** No objection.
- 7.15 **National Planning Casework Unit:** No comments received.
- 7.16 **WSSC Councillor Jacky Pendleton:** No comments received.

8 Representations

- 8.1 The application was publicised in accordance with The Town and Country Planning (General Development Procedure)(England) Order 2015. Eight site notices were erected at various locations around the application site, an advertisement put in the local newspaper, and neighbour notification letters sent to properties in the immediate vicinity of the application site. Following further information submitted under Regulation 25 of the EIA Regulations, the full consultation exercise was repeated.
- 8.2 In response, eighteen representations have been received – fourteen in support; two in objection; one raising concerns; and one making comments.
- 8.3 Representations in support generally note that vehicles would no longer be routed through residential areas at Rollaston Park and Rodney Crescent and highlight the safety/amenity benefits of the proposed new route of vehicles, being further away from their properties and off a shared PROW.
- 8.4 Representations in objection principally consider the proposed additional hours and volume of HGVs would give rise to unacceptable noise, vibration and amenity impacts on residential properties and heritage assets on Church Lane (including a Scheduled Ancient Monument and Listed Buildings). The proximity of some properties to the carriageway exacerbates these concerns. Consider traffic data outdated and the proposals would result in a safety risk to

pedestrians and cyclists on Church Lane. Further concerns are raised that Ford Road is a country lane of unsuitable design/capacity for HGV traffic and vehicle exhausts will affect the health of residents.

- 8.5 In addition to the above, further comments set out the need to ensure that the development would not impact upon the former Portsmouth to Arundel Canal, and the need to ensure that the routing of HGVs and containment there loads is controlled.

9 **Consideration of Key Issues**

- 9.1 The main material planning considerations in relation to this application are impacts on:

- Arun Local Plan allocations;
- landscape and visual amenity;
- highway capacity and road safety; and
- residential amenity

- 9.2 In considering this application it should be noted that the acceptability of the use of the site for waste purposes has already been confirmed through its allocation in Policy W10 of the Waste Local Plan, and through the grant of planning permission WSCC/096/13/F. The only issues being considered are the implications of the new access and associated S106 agreement (requiring the use of the new access only), and the amendments proposed to the existing S106 agreement (to increase HGV numbers, permitted hours, and cease use of the existing access).

Arun Local Plan Allocations

- 9.3 On the 18 July 2018, Arun District Council adopted the Arun District Local Plan 2011-2031, setting out the strategic site allocations for the District. Of particular relevance to the current proposals are Policies SD8 and SD10 which allocate land in the Ford /Climping areas for the provision of 1800 homes and associated community infrastructure (see **Appendix 8 - Arun Local Plan Proposal Map (extract)**).
- 9.4 The site allocated under Policy SD8 includes land around the Ford airfield (including the application site) for the provision of 1,500 new homes and associated community facilities. As already noted, Arun District Council has commented that the applicant needs to demonstrate the proposed new access road would not prejudice the future delivery of housing, and would not potentially constrain future development of the Southern Water sewage works. Further, the Arun EHO has raised concerns that the application has not taken account of the potential impact on future residents when housing comes forward.
- 9.5 However, it is important to note that the allocation of the CTP for the provision of a built waste management facility and the extant planning permission predate the adopt of the Local Plan and should have been taken into account during its preparation. Similarly, the existence of a number of existing permitted waste developments in the immediate area, which include the Southern Water sewage works and Viridor MRF (both of which utilise the exiting airfield access to which the proposed access road would connect), should have been taken into account,

given that their use is safeguarded by Policy W2 of the WLP. Further, any future housing development of the ADC allocation would firstly need to ensure it would not prejudice the continued or future operation of these sites.

- 9.6 The proposed access road and routing of vehicular traffic via the established airfield service road would be consistent with the development principles of the WLP allocation, which seek to prevent access via Rollaston Park.
- 9.7 The proposed access road would be sited on the edge of the ADC allocation, adjacent to established waste uses, and would result in all site traffic being routed via an established service road serving a number of waste facilities in the locality. In contrast, the approved access and egress routes dissect the ADC allocation. On balance, therefore, the proposed access arrangements are considered a largely positive arrangement, removing a significant constraint to the delivery of the strategic allocation resulting from current HGV routing arrangements. Further, the proposed access road includes a landscaped corridor on its eastern side, which would minimise potential views from future housing land.
- 9.8 In terms of the potential impact upon future operation and expansion of the neighbouring Southern Water sewage works, Southern Water have advised that they cannot comment until such time as they have concrete information about the future housing proposals and any associated sewage works expansion proposals. At this stage, it is not considered that these comments are sufficient reasons to refuse the proposed development.
- 9.9 In addition to the housing allocation at 'Ford', ADC Policy SD10 also allocates land at 'Climping' (north-west of the Climping roundabout) for the provision of 300 new homes. This site, and the allocation at 'Ford', could contribute to future traffic at Ford Road/Church Lane and its junction with the A259 and act in combination with the development proposed. However, both housing allocations include criteria requiring improvements to the A259 between Climping and Littlehampton and consideration of sustainable transport links where necessary. These criteria would ensure any measures required to mitigate any traffic arising from additional housing would be delivered as part of that development, as and when the details come forward.
- 9.10 *The proposed access road and routing of vehicular traffic via the established airfield service road would support the operation of an established and safeguarded waste facility, and would represent an improvement in routing over the approved access. The proposed development would utilise an established service road and has the potential to improve deliverability of the ADC strategic development site 'Ford' through the removal of existing HGV access routes that dissect the allocation site.*

Landscape and Visual Amenity

- 9.11 The development has the potential to have an 'urbanising' effect on the locality by introducing new road infrastructure and intensifying the use of the CTP site.
- 9.12 It is proposed to construct a new purpose-built sealed road of approximately 150m in length and 10m in width. The proposed road would be located on the edge of an arable field immediately adjacent to the Southern Water sewage

works, and would link the CTP to the existing Tangmere Airfield service road which joins with the public Highway to at Ford Road to the east. The proposed new access road includes a landscaping belt, including a fence, of approximately 4.5m wide on its eastern side.

- 9.13 The proposed new access road would include lighting columns of approximately 8m in height. The proposed lighting specifications include LED lighting that would be directed downward, with minimal potential for spill. All lighting would be timer-and sensor-controlled and would only be on during the consented hours of operation for the waste site, when daylight is not sufficient (e.g. mornings/evenings during winter months).
- 9.14 To the north and east of the proposed access road, approximately 400m distant beyond open agricultural fields, are residential properties in Rodney Crescent and Ford Lane. A Public Footpath is approximately 180m to the north of the site, a hard surfaced track also forming the existing egress route for vehicles from the CTP.
- 9.15 The site of the proposed access road is currently arable farmland; however, the locality has an urbanised context due to the surrounding hard surfaced areas/access roads, neighbouring Southern Water sewage works, and large industrial type structures at the CTP. Further, the application site is located entirely within a strategic housing allocation site (SD8 – ‘Ford’ allocated for 1,500 new homes) and so it is likely to be subject to significant built development in the future.
- 9.16 Some existing properties may have distant views of the proposed access road, in particular lighting columns; however, for the most part the views would be well-screened by intervening vegetation and seen against the backdrop of existing industrial development and street lighting along the airfield access road. The proposed landscaping to the north and east of the access road, in time, would ensure any potential visual impacts are minimised.
- 9.17 *The proposed access road would inevitably have some urbanising effect upon the immediate locality. Although it would be sited on the periphery of an arable field, it would be adjacent to existing developments of a large-scale, industrial nature, and would result in a limited continuation of existing street lighting. Further, the arable fields have been allocated for future residential use. Overall, therefore, the proposed development is not considered to give rise to any unacceptable landscape impacts.*

Highway Capacity and Road Safety

- 9.18 The proposed development would result in all vehicles accessing the CTP site (including both the permitted waste use and hangar buildings) to/from the east via a new access road, which would connect with the existing airfield service road which extends east to Ford Road/Church Lane. This would be a change from the currently permitted arrangements that require all vehicles to enter from the west via Yapton Road and Rollaston Park, and exit to the east via an established access road to the north of Rodney Crescent (a shared Public footpath) (**see appendix 7**). Should the proposal be permitted, the existing western and eastern accesses into the site would be closed to site traffic.

- 9.19 In addition, at present the S106 legal agreement attached to the approved waste activities (WSCC/096/13/F) limits HGV movements to a maximum of 60 in and 60 out weekdays and 30 in and 30 out Saturdays (120 HGV movements in total).
- 9.20 On their own, the proposed addition of a new access road and associated routing of all vehicles to the east would result a doubling of site HGV movements on Ford Road/Church Lane. However, the applicant is also seeking to double maximum permitted HGV numbers to 120 in and 120 out weekdays, and 60 in and 60 out Saturdays (a total of 240 HGV movements weekdays, and 120 HGVs Saturdays). Overall, this would result in a quadrupling of current maximum HGV numbers travelling to/from the site via Ford Road/Church Lane.
- 9.21 Although no increase in throughput at the CTP is proposed, the applicant states that the principal reason for the proposed increase in maximum HGV numbers is to allow greater flexibility for smaller HGVs (e.g. refuse collection lorries) to be able to access the site. For the previous application, the applicants assumed that the majority of HGVs entering exiting the site would be articulated lorries carrying bulked waste (20 tonnes average load). However, since the part-implementation of the permission, the applicants have identified a greater demand for local waste deliveries than previously envisaged, which results in a higher number of smaller HGVs such as refuse collection and roll-on/roll-off vehicles (4.8 tonnes average load).
- 9.22 Based on the applicant's latest predictions of vehicle types, the proposed development would result in an average of 192 HGVs (96 in and 96 out) once the permitted waste management facility is at full capacity. This includes hypothetical HGV movements that could be generated by a future development of a plastics recycling plant in the neighbouring hangar buildings on the Circular Technology Park (which would require further planning consent). However, the applicant has assumed a worst case of 25% variability, which although unlikely to represent the norm, takes the potential maximum up to 240 HGVs per day (120 in and 120 out). This is the rationale for the maximum number of HGVs sought.
- 9.23 Based on the 14 hour day sought by the applicant, this would be an average of 17 HGVs per hour (8.5 in and 8.5 out), or one HGV passing every 3.5 minutes. These figures would be slightly reduced on Saturdays to 12 HGVs per hour, one passing every five minutes.
- 9.24 The applicant has submitted a full Transport Assessment including consideration of recent and historic traffic data, accident data, forecasting for future growth, and capacity and safety assessments for relevant junctions. This concludes that the proposed HGV movements could be safely accommodated by the relevant junctions, including the Church Lane/A259 junction (Clymping roundabout). The submitted details note that the proposal would give rise to a 3.4% increase in the total traffic on Ford Road/Church Lane, although it would represent a 22.6% increase in HGV numbers.
- 9.25 Following a request from WSCC Highways, the applicant has provided a Non-Motorised User Audit (NMUA) that considers the potential impact of proposed vehicle movements on pedestrians and cyclists using Ford Road/Church Lane. This notes that a footway is provided along the entire length of the roadway and that there is good forward visibility for motorists to detect cyclists that are

required to use the carriageway. The NMUA also identifies that, in some locations, the proximity of the path to the carriageway and limited width of crossing islands is such that there can be a feeling of unease for pedestrians when HGVs pass. However, the NMUA notes that footfall along the route is low, and that there are limited sections along the route where unease may be felt. It concludes there would be a limited chance of pedestrians meeting a HGV at these points and overall increase in traffic volumes would be unlikely to give rise to any perceptible impacts upon users. WSCC Highways notes that they are satisfied with the conclusions of the NMUA and that the proposal is unlikely to result in any perceptible impacts on non-motorised users.

- 9.26 WSCC Highways has considered the potential impacts upon highway capacity and road safety and concluded that the proposed development would not be contrary to policy in the NPPF. In particular, they note that the Ford Road/Airfield junction is of an adequate design, that the local Highway network and A259 roundabout has sufficient capacity to deal with the worst case maximum vehicle movements proposed, and that they are satisfied with the findings of the NMUA.
- 9.27 *The proposed development would result in a significant increase in HGV movements on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F, rising from a maximum of 60 HGV movements per day to 240 HGV movements per day. However, WSCC Highways are satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety. Subject to a S106 legal agreement to control the routing and number of HGV movements, the proposed development is considered acceptable with regards to highway capacity and road safety.*

Residential Amenity

Access Road

- 9.28 The proposed new access road would be located adjacent to the existing Southern Water sewage works and the approved, but part-implemented, waste development at the CTP. It would be sited approximately 380m from the nearest residential properties at Rollaston Park to the east, albeit adjacent to an allocated housing site.
- 9.29 The application site for the proposed new access road includes a section of the existing Ford Airfield access road of approximately 380m in length that, at its nearest point, would be some 90m from residential properties in Rodney Crescent. This section of road forms an established access to a number of existing uses/developments in the immediate locality, including the Ford Airfield Market, Southern Water sewage works, and Viridor MRF, and is well-screened on its northern side by a substantial hedge.
- 9.30 Given the distance of the proposed access road from neighbouring properties, the context of existing and permitted waste uses in the locality and the established access thereto, and limited potential for lighting impacts (see landscape above), it is not considered that the proposed access road itself would give rise to any unacceptable impacts upon residential amenity.

HGV movements

- 9.31 The proposals would result in all vehicles being routed to the east via a new access road and the existing access Airfield service road, as well as operational hours being increased and vehicle numbers being doubled.
- 9.32 Two 'development principles' are established in Policy W10 of the WLP to address the potential impact of HGVs on amenity, namely:
- *"assessment of the possible closure of the existing access north of Rodney Crescent and the use of an alternative access to the site from Ford Road" and;*
 - *"a routing agreement is required to ensure vehicles enter and exit via Ford Road to the south, and not to or from the A27 to the north. Access via Rollaston Park/B2233 for HGVs should also be prevented"*
- 9.33 The proposed routing arrangements are, therefore, consistent with these development principles. It is of further note that the estimated volume of HGV numbers that informed the evidence base for the site's allocation, are consistent with those now proposed by the applicant (240 HGV movements per day).
- 9.34 However, consideration of additional development principles is also required. Of particular relevance is the following:
- *"the cumulative impacts of traffic, noise and odour on the environment and local communities to be satisfactorily addressed and mitigated as required, taking into account all existing, permitted, allocated, or proposed development within the wider area"*
- 9.35 Hours and volumes of HGVs were restricted by the S106 agreement for the CTP primarily because of the potential impacts upon residential amenity in areas in Rollaston Park and Rodney Crescent, where a number of residential properties are in close proximity to the circulatory access route to the site. As a result, HGV delivery hours are more restrictive than permitted operational hours at the site which allows 24 hour activities for the EfW facility.
- 9.36 The hours of HGV movements proposed by the applicant (06.00-22.00 weekdays and 08.00-18.00 Saturdays) would be the same as the nearby Viridor MRF site, which also has permission for HGV movements between 0800-1800 on Sundays and Public Holidays (NB: no movements on Sundays or public holidays is sought in this application). All HGVs access the Viridor MRF site via the same section of the Airfield service road, and Ford Road/Church Lane, as sought by the applicant.
- 9.37 At Rollaston Park, Rodney Crescent, and the existing site egress road (also a public footpath), the proposals would inevitably result in a significant positive effect upon amenity, with site traffic removed. Conversely, however, the proposals would result in a greater volume of HGVs over longer hours on Ford Road/Church Lane.
- 9.38 The applicant has carried out a noise impact assessment for HGV movements on Ford Road/Church Lane, which concludes that the calculated increase in noise/vibration levels would be negligible.

- 9.39 Nonetheless, given the increase in HGV movements, there would inevitably be some detrimental impact on amenity through increased fear and intimidation of non-motorised users on Ford Road/Church Lane, and at a limited number of residential properties on Church Lane, which are sited in close proximity to the carriageway. It is of further note that the applicant proposes such movements over a longer period each day than is currently permitted.
- 9.40 Such negative impacts must be balanced against the benefits to amenity that would result from diverting traffic away from the approved access if this application was approved. The approved access route involves a significantly longer route to/from the Strategic Lorry Route (A259), includes roads that are generally less trafficked (Rollaston Park), and a public footpath (currently shared with the sites egress). The benefits to those properties, the PROW, and as previously noted, the deliverability of housing within the now allocated site, would be considerable.
- 9.41 Ford Road/Church Lane is not considered to have the same degree of residential character as the existing HGV access route, with residential properties generally set further back from the carriageway, fewer properties affected, and the road being more heavily trafficked owing to it forming a link between the A259 and A27, and providing accesses to the Rudford Industrial Estate, Ford Prison, Viridor MRF, and Southern Water sewage works. Further, although additional hours of HGV movements are sought, they would be consistent with those permitted for existing waste operations in the locality (e.g. Viridor MRF, Southern Water sewage works, Rudford Industrial Estate).
- 9.42 The supporting EIA has considered changes to environmental baselines since the approval of the waste facility, including changes in traffic, approved development, and associated noise/air quality impacts, which satisfactorily demonstrates no unacceptable impacts would arise. Although the Arun District Environmental Health Officer notes the need to consider impacts upon land allocated for future housing, they have not raised an objection in terms of noise impacts resulting from HGVs.
- 9.43 *Taking into account the existing, well-trafficked character of the highway and surrounding environs for the proposed HGV route, and limited potential for noise impacts on residential receptors, it is considered that the proposed increase in hours and numbers of HGV movements would not give rise to an unacceptable impact upon amenity. The proposals are consistent with the 'development principles' as set out in the WLP allocation for the site and would result in amenity benefits to sensitive receptors, public footpath users, and future housing development in areas where HGV routeing would cease. On balance, the proposed development is not considered to give rise to any unacceptable impact upon the environment or local communities.*

Other material considerations

- 9.44 The submitted EIA has considered potential impacts upon air quality resulting from the proposed development, primarily in terms of increased HGV movements, building upon the Air Quality Assessment carried out for the development of the wider CTP. This concludes that the proposed increase in vehicular movements on the local road network would not have a significant impact on local air quality and would be beneficial for receptors along existing

access routes that will cease to be used.

- 9.45 The Arun District Environmental Health Officer does not raise an objection to the proposals subject to the submission of a transport plan to promote low or zero emission vehicles. The wider waste development (as approved by WSCC/096/13/F) is subject to an approved Delivery and Servicing Management Plan, required by condition (condition 20). This is a live management document and is considered an appropriate mechanism to encourage low/zero emission vehicles as part of its ongoing regular review.
- 9.46 Although there would be some potential for indirect impacts from increased HGV movements upon the setting of Listed Buildings and a Scheduled Monument in Climping Village, this is an established and well-trafficked highway that already forms part of the setting of these heritage assets and so the impact is not considered to be significant. Although the site is in an area of known archaeological interest, it is considered that the development would be acceptable, subject to a condition to secure archaeological monitoring during construction.

10 Overall Conclusion and Recommendation

- 10.1 The principle of the use of the wider site for waste management purposes is established. The proposed development would support the delivery and operation of an existing, part-implemented, waste management facility on a site allocated in the WLP for that purpose.
- 10.2 The proposed access road would be sited adjacent to existing development of an industrial nature and proposed lighting would be consistent with existing street lighting in the immediate locality. The proposals include provision of landscaping that would ensure any landscape impacts are minimised.
- 10.3 The proposed development would result in a significant increase in HGV volumes and hours on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F. However, the Highway Authority is satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety.
- 10.4 The proposals would inevitably give rise to some negative impact upon the amenity of residents, in particular those in close proximity to Ford Road/Church Lane. However, account must be taken of character of the highway and surrounding environs, the limited overall increase in noise levels, and the wider amenity benefits to sensitive receptors, public footpath users, and future housing development on the currently permitted HGV access routes. On balance, it is not considered that the proposals would give rise to an unacceptable impact upon amenity.
- 10.5 The applicant has carried out an Environmental Impact Assessment, building on previous assessments for the wider site, that adequately identifies and considers the key topics with potential for significant environmental effects. Taking into account the assessments presented therein, comments received from consultees and third parties, and the measures proposed to mitigate any impacts, it is considered that the proposed development would not give rise to any unacceptable environmental effects either alone or in combination with other development.

- 10.6 In considering the application, the County Council has, through consultation with the appropriate statutory bodies and having regard to the Development Plan and all other material considerations, considered the objectives of protection of human health and the environment and self-sufficiency and proximity as required by Article 18 of the Waste (England and Wales) Regulations 2011.
- 10.7 It is **recommended**, therefore, that planning permission be granted for the proposed new access road, subject to:
- (a) the conditions and informatives set out in Appendix 1;
 - (b) the applicant entering into an agreement under section 106 and s106A of the Town and Country Planning Act 1990 ('the Act') to deal with:
 - i) amendments to the existing S106 agreement for the Circular Technology Park site to remove the current controls on routing and to allow an increase in the number and hours of HGV movements; and
 - ii) requiring the closure of existing vehicular accesses to the Circular Technology Park and routing to/from the site only via the new access road and Ford Road/Church Lane.
- 10.8 If the application is permitted, the amendments to the existing S106 agreement and the proposed new S106 agreement, as recommended under (b) above, should be taken forward in a single legal agreement – see Appendix 2.

11 **Equality Duty**

- 11.1 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

12 **Risk Management Implications**

- 12.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise. If this is not done, any decision could be susceptible to an application for Judicial Review.

13 **Crime and Disorder Act Implications**

- 13.1 This decision has no implications in relation to crime and disorder.

14 **Human Rights Act Implications**

- 14.1 The Human Rights Act requires the County Council to take into account the

rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

- 14.2 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 14.3 The Committee should also be aware of Article 6, the focus of which (for the purpose of this committee) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

Michael Elkington
Head of Planning Services

Background Papers

As set out in Section 6.

List of Appendices

Appendix 1 - Conditions and Informatives
Appendix 2 - Draft Legal Agreement
Appendix 3 - Site Location Plan
Appendix 4 - Application Site
Appendix 5 - WSCC/096/13/F - Application Site
Appendix 6 - Proposed Access Road
Appendix 7 - Existing and Proposed Vehicular Routeing
Appendix 8 - Arun Local Plan Proposal Map (extract)

Contact: James Neave, tel: 25571

Appendix 1: Conditions and Informatives

Commencement

1. The development hereby permitted shall commence before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans and Documents

2. The development hereby permitted shall not take place other than in accordance with the particulars of the application, the approved plans and documents:
 - Planning Application and Land Ownership Area (drawing DG/ES/FOR/NAR/02 – dated March 2017)
 - Proposed Site Layout (1) (drawing DG/ES/FOR/NAR/03 -dated May 2017)
 - Proposed Site Layout (2) (drawing DG/ES/FOR/NAR/04 -dated May 2017)
 - Proposed Specification New Access Road Ford (drawing DG/EN/FOR/WDL/2020 – dated 11/05/16)
 - Below Ground Drainage (drawing 500 – Rev 2 – dated November 2016)
 - Proposed Levels (drawing 501 - Rev 1 - dated November 2016)
 - External Works (drawing 502 - Rev 1 - dated November 2016)
 - Construction Details (drawing 503 – Rev 1 – dated November 2016)

save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Hours of use

3. HGVs shall only be permitted to use the new section of access road as detailed on plan - Proposed Specification New Access Road Ford (drawing DG/EN/FOR/WDL/2020 – dated 11/05/16), between the hours of 06.00 – 20.00 Monday to Fridays and 08.00 – 18.00 Saturdays.

Reason: In the interests of amenity.

Fencing and Gates

4. Prior to the commencement of development a scheme of all new fencing and gates shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include details of location, style, height and finishes of the fences/gates to be used. Thereafter, all fencing and gates shall be erected in accordance with the approved scheme prior to new access being brought into use and thereafter maintained in accordance with the approved scheme throughout the operation of the development.

Reason: To ensure good design, security, and in the interest of amenity.

Landscaping

5. Prior to the commencement of the development, a landscape scheme detailing all planting and seeding proposals shall be submitted to and approved in advance in writing by the County Planning Authority. The scheme shall

include details of species, planting sizes, planting spacing, seeding, the measures to tie into perimeter landscaping at the wider Circular Technology Park, soil amelioration/improvement, and provision for on-going maintenance. Once approved, the scheme shall be implemented in full with all planting carried out in the first planting season (November - February) following the commencement of the development. Any plants which die, are removed or become seriously damaged or diseased within the first five years shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the County Planning Authority.

Reason: In the interests of the visual amenities of the locality.

Lighting

6. All new external lighting shall only be installed in accordance with the submitted specifications and plan (App.3 Gemma Lighting – Jupiter 54 XL110, and Proposed Specification New Access Road Ford (drawing DG/EN/FOR/WDL/2020 – dated 11/05/16)), save for any variation thereto which may be submitted to and approved in advance in writing by the County Planning Authority. All external lighting shall be angled, directed or cowled so as to prevent light spillage in an upward direction or cause nuisance outside the site and shall only be operated between 06.00-22.00 weekdays and 08.00-18.00 Saturdays. .

Reason: To prevent light pollution in the interests of local amenity.

Archaeology

7. No development shall be carried out (including any demolition and site clearance) until a scheme of archaeological work has been submitted to and approved in advance in writing by the County Planning Authority. The scheme shall include a written scheme of investigation to include the scope of archaeological recording and mitigation. Thereafter the scheme of archaeological work shall be implemented in full in accordance with a timetable to be agreed within the scheme.

Reason: in the interests of local heritage and archaeology

Construction Management Plan

8. No development shall be carried out (including any demolition and site clearance) until a Construction Management Scheme has been submitted to and approved in advance and in writing by the County Planning Authority. The plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by construction site operatives;
 - details of public engagement both prior to and during construction works;
 - the storage, loading and unloading of plant, materials and waste;
 - temporary lighting;
 - the erection and maintenance of construction screening/hoardings;
 - the provision of wheel washing and/or other works required to mitigate the

impact of construction upon the public highway;

- the measures to minimise noise producing activities.

Thereafter, the plan shall be implemented and adhered to as approved throughout the entire construction period of the development hereby permitted.

Reason: In the interests of highway safety and the amenities of the locality.

Hours of Construction and Deliveries

9. Construction (including any demolition and site clearance) of the development hereby permitted, involving the use of plant/machinery/equipment/vehicles and the deliveries of construction materials/plant/machinery/equipment being received by or despatched shall only take place between the hours of:

- 08.00 and 18.00 on Monday to Friday inclusive;
- 08.00 and 13.00 on Saturdays; and

not at any time on Sundays, Bank Holidays or Public Holidays.

Reason: In the interests of the amenity of the locality and of local residents.

Ecological supervision and mitigation

10. All site clearance works shall be carried out under the supervision of an Ecological Clerk of Works, unless otherwise approved in writing by the County Planning Authority.

Reason: To maintain the ecological integrity of the site.

Contamination Remediation Strategy

11. If during development contamination not previously identified is found to be present, no further development shall be carried out until a remediation strategy detailing how this contamination would be dealt with has been submitted to and approved in writing by the County Planning Authority. The remediation strategy shall be implemented as approved in full.

Reason: To avoid the potential for pollution of land/water.

INFORMATIVES

- a) In accordance with paragraph 38 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive and creative way, and has worked proactively with the applicant by:
- Providing pre-application advice;
 - Seeking amendments early on in the application process to see if a sustainable solution can be agreed;
 - Discussing issues of concern as early as possible, including those raised by consultees and third parties;

- Giving them the opportunity to provide further information/changes to overcome material impacts;
- Working with consultees

As a result, the County Planning Authority has been able to recommend the grant of planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

- b) The applicant is advised that should protected species, including any species of bat, be present work must stop and Natural England informed. A license may be required from Natural England before works can re-commence. Natural England will advise.
- c) The applicants attention is drawn to the comments of Southern Water dated 19 September 2018, in particular the location of a public sewer crossing the site. The applicant must liaise with Southern Water accordingly to ensure that public apparatus is protected during construction.
- d) As the proposed development would serve the wider Circular Technology Park, the applicant is encouraged to review and update all relevant conditional schemes as approved under planning permission WSCC/096/13/F. Any such revised schemes must be submitted for approval by the County Planning Authority as necessary.